

**OFFICIAL FILE**  
**ILLINOIS COMMERCE COMMISSION**

**ORIGINAL**

**STATE OF ILLINOIS**  
**BEFORE ILLINOIS COMMERCE COMMISSION**

ILLINOIS  
COMMERCE COMMISSION

2002 DEC 15 A 9:21

Globalcom, Inc.

vs.

Illinois Bell Telephone Company,  
d/b/a Ameritech Illinois

In the Matter of a Complaint  
Pursuant to 220 ILCS 5/13-515,  
220 ILCS 10-101 and 10-108

CHIEF CLERK'S OFFICE

ICC Docket No. 02-0365

**NOTICE OF APPEAL**

To: Donna Caton  
Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62701

PLEASE TAKE NOTICE that, pursuant to Section 10-201 of the Public Utilities Act ("PUA"), 220 ILCS 5/10-201, and Section 200.890 of the Commission's Rules of Practice, 83 Ill. Adm. Code 200.890, Globalcom, Inc. ("Globalcom") is appealing to the Appellate Court First District, the Order on Rehearing of the Illinois Commerce Commission ("ICC" or "Commission") in *Globalcom, Inc. v. Illinois Bell Telephone Company d/b/a Ameritech Illinois*, In the Matter of a Complaint Pursuant to 220 ILCS 5/13-515, 220 ILCS 10-101 and 10-108. Docket 02-0365, dated December 12, 2002 (the "Order").

Globalcom filed with the Commission its Application for Rehearing on November 22, 2002. The Commission denied Globalcom's Application for Rehearing on December 11, 2002.

Pursuant to Section 10-201(b) of the PUA, 220 ILCS 5/10-201(b), Globalcom respectfully requests that the Commission certify and file with the Clerk of the Court, District Court of Illinois, Cook County: (1) a copy of the Order dated December 11, 2002, in Docket 02-0365, within 5 days after the filing of this Notice of Appeal; and (2) the record, within 15 days of being furnished with a copy of the transcript of the evidence and exhibits or a written request to prepare the same.

Dated: December 12, 2002

Respectfully submitted,

GLOBALCOM, INC.

By



Stephen J. Moore  
Thomas H. Rowland  
Kevin D. Rhoda  
ROWLAND & MOORE  
77 West Wacker Drive  
Suite 4600  
Chicago, Illinois 60601

Gavin McCarty  
Vice President & General Counsel  
GLOBALCOM, INC.  
333 West Wacker Drive  
Suite 1500  
Chicago, Illinois 60606

Its Attorneys

## CERTIFICATE OF MAILING

I, Stephen J. Moore, one of the attorneys representing Globalcom, Inc., hereby certify that I served by hand delivery or U.S. Mail from 77 West Wacker Drive, Chicago, Illinois 6061, with proper postage prepaid, the Notice of Appeal on December 12, 2002 to:

Steven M. Ravid  
Clerk of the Court  
Appellate Court First District  
160 North LaSalle St.  
Chicago, Illinois 60601

Donna Caton  
Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62701

I also certify that I deposited copies of the foregoing Notice of Appeal in the US mail from 77 West Wacker Drive, Chicago, Illinois 60601, with proper postage prepaid, on December 12, 2002 to:

David Gilbert  
Administrative Law Judge  
Illinois Commerce Commission  
160 North LaSalle, Suite C-800  
Chicago, Illinois 60601

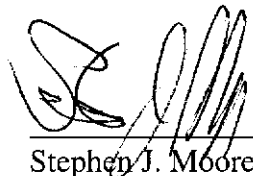
Mark Hanson  
Case Manager  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62701

Karl Anderson  
Illinois Bell Telephone Company  
225 West Randolph, Floor 29B  
Chicago, Illinois 60601

Matt Harvey  
Office of General Counsel  
Illinois Commerce Commission  
160 North LaSalle, Suite C-800  
Chicago, Illinois 60601

Gavin McCarty  
Vice President & General Counsel  
Globalcom, Inc.  
333 West Wacker Drive  
Suite 1500  
Chicago, Illinois 60606

Rhonda J. Johnson  
Vice President, Regulatory  
Illinois Bell Telephone Company  
555 Cook St., Fl. 1E  
Springfield, Illinois 62721



Stephen J. Moore

**STATE OF ILLINOIS  
BEFORE ILLINOIS COMMERCE COMMISSION**

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Globalcom, Inc.

vs.

Illinois Bell Telephone Company,  
d/b/a Ameritech Illinois

In the Matter of a Complaint  
Pursuant to 220 ILCS 5/13-515,  
220 ILCS 10-101 and 10-108

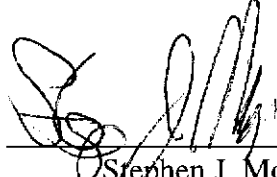
ICC Docket No. 02-0365

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**NOTICE OF FILING**

Please take notice that on December 12, 2002, Stephen J. Moore caused to be filed the Notice of Appeal in the above-captioned proceeding with Donna Caton, Chief Clerk of the Illinois Commerce Commission via US mail.

Dated: December 12, 2002



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Stephen J. Moore  
Rowland & Moore  
77 West Wacker Drive  
Suite 4600  
Chicago, Illinois 60601

Globalcom, Inc.

**ILLINOIS APPELLATE COURT  
FIRST DISTRICT**

Globalcom, Inc.,	)	
	)	
Petitioner	)	
	)	
v.	)	Petition for Review of the
	)	Order on Rehearing of the Illinois
	)	Commerce Commission
	)	in Docket No. 02-0365
Illinois Commerce Commission and	)	
Illinois Bell Telephone Company	)	
d/b/a Ameritech Illinois,	)	
	)	
Respondents	)	
	)	

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**NOTICE OF FILING**

To: See attached service list.

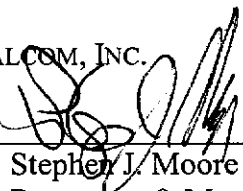
PLEASE TAKE NOTICE that on December 12, 2002, Globalcom, Inc. transmitted for filing with the Illinois Appellate Court First District, a Petition for Review and a copy of a Notice of Appeal filed with the Illinois Commerce Commission, copies of which are served upon you.

Dated: December 12, 2002

Respectfully submitted,

GLOBALCOM, INC.

By: \_\_\_\_\_

  
Stephen J. Moore  
ROWLAND & MOORE  
77 West Wacker Drive  
Suite 4600  
Chicago, Illinois 60601  
(312) 803-1000

GLOBALCOM, INC.

**ILLINOIS APPELLATE COURT  
FIRST DISTRICT**

Globalcom, Inc.,	)	
	)	
Petitioner	)	
	)	
v.	)	Petition for Review of the
	)	Order on Rehearing of the Illinois
	)	Commerce Commission
	)	in Docket No. 02-0365
Illinois Commerce Commission and	)	
Illinois Bell Telephone Company	)	
d/b/a Ameritech Illinois,	)	
	)	
Respondents	)	
	)	

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**PETITION FOR REVIEW**

Pursuant to Section 10-201 of the Public Utilities Act ("PUA"), 220 ILCS 5/10-201, and Supreme Court Rule 335, Petitioner Globalcom, Inc. ("Globalcom") hereby petitions the Court for review of the Order on Rehearing of the Illinois Commerce Commission ("ICC" or "Commission") in *Globalcom, Inc. v. Illinois Bell Telephone Company d/b/a Ameritech Illinois*, In the Matter of a Complaint Pursuant to 220 ILCS 5/13-515, 220 ILCS 10-101 and 10-108. Docket 02-0365, dated December 12, 2002 (the "Order"). Globalcom seeks review of the Commission's findings and conclusions in the Order that failed to award Globalcom the proper damages for Ameritech's collocation requirement for obtaining Enhanced Extended Loops ("EELs"), limited Globalcom's statutory right to collect attorney's fees for Ameritech's violation of 220 ILCS 5/13-514<sup>1</sup>, improperly allowed Ameritech to continue to charge termination penalties when carriers

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<sup>1</sup> See 220 ILCS 5/13-516(a)(3) (the "Commission shall award damages, attorney's fees, and costs to any telecommunications carrier that was subjected to a violation of 13-514.")

convert interstate special access service to EELs, and assessed to Globalcom twenty-five percent of the Commission's costs incurred during the proceeding.

Pursuant to Section 10-113 of the PUA, 220 ILCS 5/10-113, Globalcom filed a timely Application for Rehearing with the Commission on November 22, 2002. The Commission denied Globalcom's Application for Rehearing on December 11, 2002. Globalcom files this Petition for Review under Section 10-201 of the PUA, 220 ILCS 5/10-201, and Supreme Court Rule 335, for the purpose of having this Court determine the reasonableness and lawfulness of the Order, and requests that the Order be reversed or remanded and that this court grant such other relief as it deems just and proper.

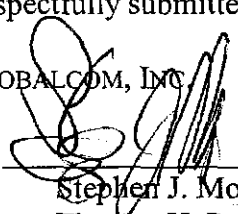
Attached to this Petition for Review is a copy of Globalcom's Notice of Appeal filed with the Commission, pursuant to Section 10-201 of the PUA, 220 ILCS 5/10-201, together with proof of service of the Notice of Appeal.

Dated: December 12, 2002

Respectfully submitted,

GLOBALCOM, INC.

By



Stephen J. Moore  
Thomas H. Rowland  
Kevin D. Rhoda  
Rowland & Moore  
77 West Wacker Drive  
Suite 4600  
Chicago, Illinois 60601

Gavin McCarty  
Vice President & General Counsel  
Globalcom, Inc.  
333 West Wacker Drive  
Suite 1500  
Chicago, Illinois 60606

### CERTIFICATE OF MAILING

I, Stephen J. Moore, one of the attorneys representing Globalcom, Inc., hereby certify that I served by hand delivery or US mail from 77 West Wacker Drive, Chicago, Illinois 60601, with proper postage prepaid, the Petition for Review on December 12, 2002 to:

Steven M. Ravid  
Clerk of the Court  
Appellate Court First District  
160 North LaSalle St.  
Chicago, Illinois 60601

Donna Caton  
Chief Clerk  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62701

I also certify that I deposited copies of the foregoing Petition for Review in the US mail from 77 West Wacker Drive, Chicago, Illinois 60601, with proper postage prepaid, on December 11, 2002 to:

David Gilbert  
Administrative Law Judge  
Illinois Commerce Commission  
160 North LaSalle, Suite C-800  
Chicago, Illinois 60601

Mark Hanson  
Case Manager  
Illinois Commerce Commission  
527 East Capitol Avenue  
Springfield, Illinois 62701

Karl Anderson  
Illinois Bell Telephone Company  
225 West Randolph, Floor 29B  
Chicago, Illinois 60601

Matt Harvey  
Office of General Counsel  
Illinois Commerce Commission  
160 North LaSalle, Suite C-800  
Chicago, Illinois 60601

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Vice President & General Counsel  
Globalcom, Inc.  
333 West Wacker Drive  
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Chicago, Illinois 60606

Rhonda J. Johnson  
Vice President, Regulatory  
Illinois Bell Telephone Company  
555 Cook St., Fl. 1E  
Springfield, Illinois 62721

  
\_\_\_\_\_  
Stephen J. Moore